

Prepared By:

Carl B. Everett, Esquire
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Centre Square West
1500 Market Street, 38th Floor
Philadelphia, PA 19102-2186

SRS00208

Record & return to:
SearchTec, Inc
314 N. 12th Street
Ste# 100
Philadelphia, Pa. 19107

OPA # 78-4378200

DEED NOTICE

THIS DEED NOTICE is made as of the 30th day of July, 2013, by **SCHOOL DISTRICT OF PHILADELPHIA**, a political subdivision of the Commonwealth of Pennsylvania, with administrative offices located at 440 North Broad Street, Philadelphia, Pennsylvania 19130 (together with its successors and assigns, collectively "Owner").

WITNESSETH:

WHEREAS, Owner is the owner in fee simple of certain real property located at **6400 Ridge Avenue, Philadelphia, Pennsylvania**, more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, pursuant to a Consent Decree entered in the United States District Court for the Eastern District of Pennsylvania on September 11, 1997, in the United States of America v. The School District of Philadelphia, Civil Action No. 97-3829 ("Consent Decree"), Owner is obligated, inter alia, to file recordation notice of the Consent Decree.

WHEREAS, paragraph 8.b of the Consent Decree provides, "In the event of PCB contamination remains at a Facility, the School District shall file and record the removal and disposal plan as a deed notification and restriction notifying any subsequent purchaser of the Facility to remove and properly dispose of contaminated material prior to any activity that would disturb the contaminated material (such as renovation or demolition)."

WHEREAS, the PCB Removal and Disposal Plan dated April, 2009, attached hereto as Exhibit "B", (i) describes the remedial actions that were performed; (ii) describes and summarizes the sampling which was performed after completion of the remedial actions; and (iii) describes the proper removal and disposal procedures for the transformers and the contaminated concrete.

WHEREAS, as more fully provided in the Consent Decree, notice of the Consent Decree shall be included in all subsequent deeds, title or other instruments conveying an interest in the Property.

WHEREAS, this Deed Notice itself is not intended to create any interest in real estate in favor of the EPA, nor to create a lien against the Property, but merely is intended to provide record notice of the Consent Decree.


NOW, THEREFORE, Owner hereby notifies, by this Deed Notice, all interested parties, owners, lessees and operators of the Property of the Consent Decree.

FURTHER, the obligations of Owner of this Property with respect to all requirements and provisions of the aforementioned Consent Decree shall be binding upon the Owner and upon any and all persons who subsequently become owner of any portion of the Property upon which encapsulated PCB contaminated material exists.


[Signatures on the following page]

IN WITNESS WHEREOF, Owner has executed this Deed Notice as of the date first written above.

SCHOOL DISTRICT OF PHILADELPHIA

By: 
Pedro A. Ramos, Esquire
Chairman
School Reform Commission

APPROVED AS TO FORM:


Elizabeth C. Gutman, Esq.
Assistant General Counsel
The School District of Philadelphia

COMMONWEALTH OF PENNSYLVANIA :
: SS
COUNTY OF PHILADELPHIA :

On this 30th day of July, 2013, before me a Notary Public in and for the Commonwealth of Pennsylvania, the undersigned officer, personally appeared **Pedro A. Ramos, Esq.**, who acknowledged himself to be the Chairman of the School Reform Commission, acting on behalf of the **School District of Philadelphia**, and that he as such officer, being authorized to do so, executed the foregoing instrument for the purposes therein contained by signing the name of the School District of Philadelphia by himself as Chairman.

In Witness Whereof, I hereunto set my hand and official seal.

Michelle A. Reed [SEAL]
Notary Public

My Commission Expires:

October 22, 2013

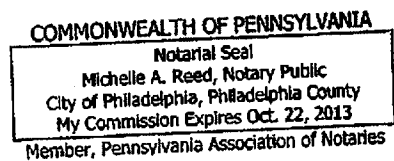


Exhibit "A"

Legal Description

ALL THAT CERTAIN lot or piece of ground with the buildings and improvements thereon erected. SITUATE in the 21st Ward of the City of Philadelphia, County of Philadelphia and Commonwealth of Pennsylvania.

BEGINNING at the intersection of the Southerly side of Ridge Avenue 50 feet wide with the Southeasterly side of Fountain Street; thence extending along the said Ridge Avenue South 63 degrees 16 minutes 29 seconds East 262 feet 5 inches to a point; thence still along the same South 67 degrees 28 minutes 49 seconds East 186 feet 7-3/4 inches to the Northwestwardly side of Gates Street; thence along the same North 58 degrees 16 minutes 23 seconds West 1152 feet 7-3/8 inches to a point; thence North 32 degrees 18 minutes, 26 seconds West 172 feet 7-1/8 inches to a point; thence North 57 degrees 30 minutes 48 seconds East 639 feet 5-3/4 inches to a point; thence North 41 degrees 43 minutes 12 seconds West 179 feet 2-1/8 inches to the Southeasterly side of said Fountain Street; thence along the same North 56 degrees 31 minutes 48 seconds East 305 feet and 3/4 inches to the Southerly side of said Ridge Avenue and place of beginning.

BEING KNOWN AS 6400 Ridge Avenue.

BEING OPA# 78-4378200.

Exhibit "B"

PCB Removal and Disposal Plan

KEATING Environmental Management, Inc.

123 John Robert Thomas Drive, Exton, Pennsylvania 19341
Tel. (610) 594-2600 Fax (610) 594-6100

PCB REMOVAL AND DISPOSAL PLAN

**Roxborough High School
6400 Ridge Avenue
Philadelphia, Pennsylvania**

File No. 5385

April 2009

Prepared for:

**The School District of Philadelphia
Philadelphia, Pennsylvania**

KEATING Environmental Management, Inc.

PCB REMOVAL AND DISPOSAL PLAN ROXBOROUGH HIGH SCHOOL TABLE OF CONTENTS

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- 1 Extent of Concrete Encapsulation

APPENDICES

- A Photographic Documentation

KEATING Environmental Management, Inc.

1.0 Introduction

This Removal and Disposal Plan summarizes the remedial activities which were completed at the Roxborough High School (located at 6400 Ridge Avenue in Philadelphia, Pennsylvania) and describes the actions to be taken upon the removal of the PCB contaminated concrete from this location. Specifically, this report:

- Describes the remedial actions which were performed¹;
- Describes and summarizes the sampling which was performed after completion of the remedial actions¹; and
- Describes the proper removal and disposal procedures for the contaminated concrete.

This Removal and Disposal Plan has been prepared as a component of the Deed Notification that is described within the Consent Decree entered in U.S. v. School District of Philadelphia, Civil Action No. 97-3829.

2.0 Remedial Action

In December 1998, after removal of the four PCB transformers at the Roxborough High School, a 6-inch thick reinforced concrete slab was installed as an encapsulant directly above the existing PCB impacted flooring and curbing.

The new concrete slab encompasses the concrete that was impacted above the USEPA's cleanup standard of $10 \mu\text{g}/100 \text{ cm}^2$, as well as additional floor area to supplement the proper operation of the primary circuit breakers. Prior to the installation of the concrete slab, the area to be encapsulated was marked, based upon the interpretation of the pre-cleanup, delineation wipe sample results.

Figure 1 shows the location of the new concrete slab at the Roxborough High School.

3.0 Post-Encapsulant Sampling

In The School District's opinion, there was no need for the development or implementation of a post-encapsulant sampling program for this location since the pre-delineation wipe sampling results indicate that the concrete with PCB levels greater than $10 \mu\text{g}/100 \text{ cm}^2$ has been encapsulated.

Photographs have been taken and scaled sketches developed to document the areas which have been encapsulated. These records are being maintained by The School District's PCB Coordinator. Copies of the photographs are provided in Appendix A.

¹ For additional information regarding the remedial actions which have been completed, refer to the Final Report for this location, dated January 1999.

KEATING Environmental Management, Inc.

4.0 Removal and Disposal of the PCB Contaminated Concrete

PCB contaminated concrete will be removed if renovation or demolition occurs that disturbs the contaminated material. PCB contaminated concrete will be disposed of in accordance with TSCA (Toxic Substances Control Act) regulations.

Prior to the removal of any concrete surface, The School District shall conduct a structural engineering evaluation to determine the depth to which concrete can be safely removed. Concrete removal prior to demolition will only be performed if it can be accomplished without jeopardy to the structural integrity of the area and if the removal action will result in the complete removal of PCB contaminated concrete.

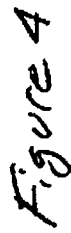
PCB contaminated concrete will be removed by either scabbling, where the surface of the concrete will be abraded down to the depth of uncontaminated concrete, or by bulk removal methods.

Where scabbling is utilized, in the absence of structural engineering constraints regarding the depth of concrete which can be removed, removal of concrete will be done to achieve the cleanup levels for porous surfaces as required in 40 CFR 761.61(a)(4)(iii).

All waste concrete will be placed within properly labeled 55-gallon drums that meet USEPA and DOT shipping requirements. However, if the Roxborough High School is demolished, it may not be practical to place bulk contaminated concrete into shipping drums. At that time, the utilization of lined roll-off containers for the transportation of PCB contaminated concrete to a licensed TSCA permitted chemical waste landfill will be evaluated.

FIGURE 1

Extent of Concrete Encapsulation



APPENDIX A

Photographic Documentation

KEATING Environmental Management, Inc.

The School District of Philadelphia
PCB Transformer Compliance Project
Final Report
Roxborough High School



Photo 1 - Draining of PCB dielectric fluid from transformers prior to their removal.



Photo 2 - Drums of PCB dielectric fluid for disposal.

KEATING Environmental Management, Inc.

The School District of Philadelphia
PCB Transformer Compliance Project

Final Report
Roxborough High School

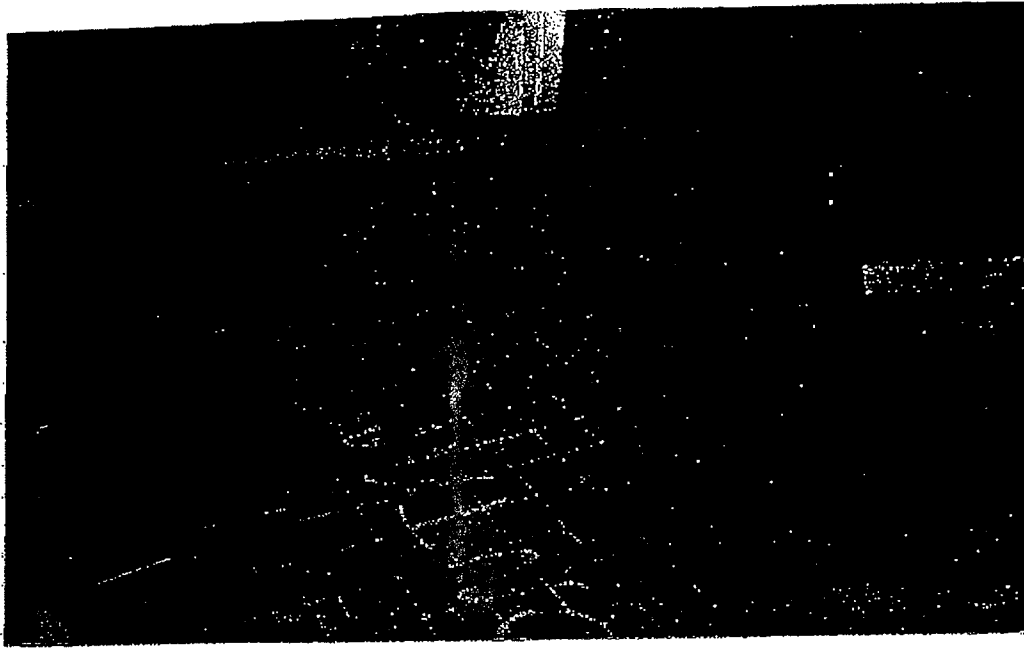


Photo 3 - New concrete slab being constructed - wire mesh reinforcing is visible.

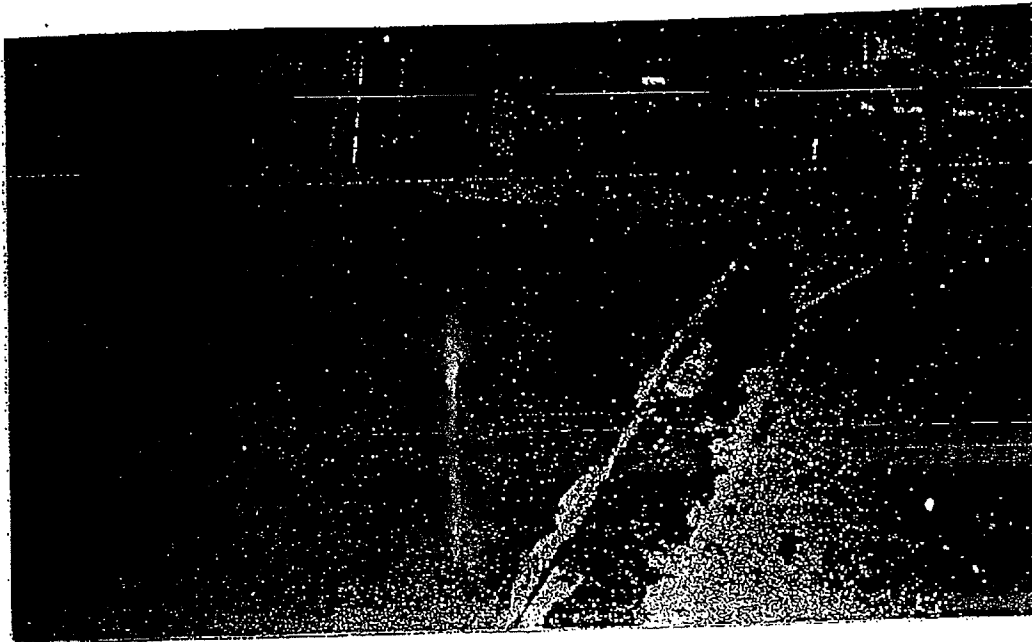


Photo 4 - New concrete floor slab being placed.